

December 2, 2020

The Trustees of the Village of Malcolm met on Wednesday, December 2, 2020 at 7:00 p.m. in open session at the Village Hall located at 137 East 2<sup>nd</sup> Street, Malcolm, NE and by virtual teleconference for such business as shall come before said Trustees. Notice of the meeting was in the November 19, 2020 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, November 3, 2020. Virtual teleconference was posted at the three sites in Malcolm as well as the website on November 28, 2020.

#### ROLL CALL

Rohe by teleconference, Hicken, Kopecky, Schweitzer, Little

Absent: none

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

VISITORS PRESENT: Jack Tarr, Mike Faubion and by teleconference Jason Lemkau.

APPROVAL OF MINUTES: Rohe made a motion to accept the minutes of the November 4, 2020 meeting, seconded by Hicken. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Little; NAY: None; Motion carried 4-0; Abstained: Schweitzer.

TREASURER REPORT –Rohe made a motion to accept the treasurer's report for the month of November 2020 with disbursements of \$52,086.82 and deposits of \$35,703.34. Motion seconded by Kopecky. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

The Village Board thanked David Rohe and Terry Kopecky for serving 8 years and Teena Hicken for serving 12 years on the Board of Trustees and presented them with a small token of appreciation.

Rohe made a motion to adjourn the meeting at 7:05 for refreshments, Kopecky seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 5-0; Members absent: None.

Meeting was called back into session at 7:10 p.m.

#### ROLL CALL

Schweitzer, Little, Tarr, Faubion and Lemkau by teleconference

Absent: None

Swearing in Ceremony of newly elected Board Members:

- Pledge of Allegiance
- New Board Members, Jack Tarr, Mike Faubion and by teleconference Jason Lemkau were sworn in by Board Member Jerad Little.

Nominations opened for Chairperson. Schweitzer nominated Jerad Little. There were no other nominations, so the slate was declared closed. Vote was called and recorded as follows: AYE: Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 4-0; Abstained: Little; Members absent: None

Nominations opened for Chair Pro Tem. Tarr nominated Jeff Schweitzer. There were no other nominations so the slate was declared closed. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Faubion, Lemkau; NAY: None; Motion carried: 4-0; Abstained: Schweitzer; Members absent: None.

Chairperson Little appointed Department Heads:

Wastewater – Little

Civil Defense –Faubion

Water –Tarr

Streets –Schweitzer.

VISITORS by teleconference: Judy & Rick Jirovsky, Tad Hardin, Makayla Mutherbaugh, Aaron & Melissa King, David Rohe.

Makayla Mutherbaugh and Jared with Nebraska Strong Recovery Project joined the meeting via teleconference. Nebraska Strong is an outreach program that started last year with the flooding. They are continuing to work with individuals, families, and communities impacted by

the COVID pandemic in the State of Nebraska. They provide community-based support and education to help Nebraskans cope during this stressful time.

VILLAGE MAINTENANCE REPORT: A report was submitted and received by the Board.  
Wet Well pump stopped working – order new pump for \$7,508.50.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

VILLAGE CLERK REPORT: A report was submitted and received by the Board.

BACKGROUND: Zito Media Agreement: Zito switched from Broadband to Fiber therefore there was no need to have the dishes and antenna's on and around the Malcolm water tower. Once Zito removed their equipment at the tower, a new agreement was drawn up. Village Attorney has reviewed the agreement, following further review and discussion, Little made a motion to approve the agreement between Zito Media and the Village of Malcolm. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Creek erosion at the left field light pole at ball field: Nadine will check with Lower Platte South NRD as to the outcome of the application submitted for cost sharing for the project and engineering and report at the January meeting.

BACKGROUND: Sidewalk/Bridge at big park: After further discussion, Faubion made a motion to take the bridge down due to condition of the bridge, Tarr seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Sidewalks will be addressed later.

BACKGROUND: Merge between Marvin E. Jewell & Co. P.C. with HBE, LLP – Village Accountants: Effective January 1, 2021 Marvin E. Jewell & Co., P.C. will merge with HBE, LLP, Marvin E. Jewell employees will continue to complete the Budget and Audit for the Village.

BACKGROUND: Car Show – August 15, 2021: After further discussion, Board approved to hold the car show on August 15, 2021.

BACKGROUND: Resolution 2020-13 – Appointments: After further discussion and review, Little made a motion to approve Resolution 2020-13, A Resolution appointing a Village Clerk/Treasurer, Village Attorney, Village Accountant, Village Engineer, Village Street Superintendent, Village Depositories and Official Publications, Tarr second the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: New Zoning Map: A new zoning map was printed for the Office.

Recommendation 360 – Building Permit – 10155 NW 96<sup>th</sup>: The Malcolm Planning Commission recommends approval of the building permit contingent upon the building inspectors approval of stamped construction documents prior to commencing construction. After further discussion and review of the permit, Little made a motion to approve the permit for the 24" x 36" Farm/Utility Building, contingent on stamped drawings delivered to the building inspector before construction begins. Faubion seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Faubion, Lemkau; NAY: Schweitzer; Motion carried 4-1; Members absent: None.

Recommendation 361 – Use Permit – Brixstone Coffee & Bakehouse: The Malcolm Planning Commission recommends approving the Use Permit for Brixstone Coffee and Backhouse, after further review and discussion, Little made a motion to approve the Use permit, Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None.

Further discussion continued regarding the Building Permit submitted for the bar located at 126 West 2<sup>nd</sup> Street. A partial approval of the building permit for HVAC replacement, electrical for the HVAC, removal of the non-load bearing wall, replacement of the sign and framing in the "Black Bird Store" has been approved, however, the foundation repair, replacement of stairs and rising of the floor in the "Black Bird Store" will need stamped engineered drawings, review by the Village Inspector and approval from the Board before construction can begin.

With no further business to discuss, Little moved to adjourn at 9:37 p.m. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NAY: None; Motion carried 5-0; Members absent: None

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Nadine Link, Village Clerk